

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MONA DOBRICH, <u>et al.</u>	)	
	)	
Plaintiffs	)	
	)	
v.	)	Civil Action No. 05-cv-00120-JJF
	)	
HARVEY L. WALLS, <u>et al.</u>	)	<b>E-FILED</b>
	)	
Defendants.	)	

**MOTION TO DISMISS ON BEHALF OF**  
**DEFENDANTS WALLS, ISAACS, EVANS, COHEE, HASTINGS, BUNTING,**  
**BIRELEY, HATTIER, MCCABE, HOBBS AND SAVAGE, AND THE INDIAN**  
**RIVER SCHOOL BOARD AND INDIAN RIVER SCHOOL DISTRICT**

Defendants Harvey L. Walls, Mark A. Isaacs, John M. Evans, Richard H. Cohee, Gregory A. Hastings, Nina Lou Bunting, Charles M. Bireley, Donald G. Hattier, M. Elaine McCabe (collectively “School Board Members”), Lois M. Hobbs (“Superintendent”) and Earl J. Savage (“Assistant Superintendent”), in their individual and official capacity (collectively “Individual Defendants”), and the Indian River School Board and Indian River School District, by counsel and pursuant to Federal Rules of Civil Procedure 12(b)(1) & (6), file this Motion to Dismiss the Complaint of plaintiffs Mona, Marco & Alexander Dobrich, and Jane, John, Jordan & Jamie Doe (“Plaintiffs”). The grounds for this Motion are more fully set forth in Defendants’ Opening Brief in Support of Motion to Dismiss, filed herewith and incorporated herein by reference.

**WHITE and WILLIAMS LLP**

**By:** /s/ John D. Balaguer  
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Nina Lou Bunting, Charles M. Bireley,  
Donald G. Hattier, M. Elaine McCabe,  
Lois M. Hobbs, Earl J. Savage, the  
Indian River School Board, and the  
Indian River School District*

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	)	
Defendants.	)	
	)	

**CERTIFICATE OF SERVICE**

I, John D. Balaguer, do hereby certify that on this 27<sup>th</sup> day of April, 2005, the **MOTION TO DISMISS AND OPENING BRIEF IN SUPPORT OF MOTION TO DISMISS OF DEFENDANTS HARVEY L. WALLS, MARK A. ISAACS, JOHN M. EVANS, RICHARD H. COHEE, GREGORY A. HASTINGS, NINA LOU BUNTING, CHARLES M. BIRELEY, DONALD G. HATTIER, M. ELAINE MCCABE, LOIS M. HOBBS, EARL J. SAVAGE, THE INDIAN RIVER SCHOOL BOARD, AND THE INDIAN RIVER SCHOOL DISTRICT** was served upon the following via electronic filing:

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